City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT
AND RECOMMENDATION TO THE SUPERINTENDENT OF SEATTLE CITY LIGHT

Application Number: 2301760

Applicant Name: Gary M. Abrahams for T-Mobile Wireless USA

Address of Proposal: 2704 Northeast 115th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future installation of a minor communication utility (T-Mobile) consisting of 3 panel antennas located in the right of way atop a City Light pole, and an equipment cabinet located on private property above an existing storage shed of an existing building.

The following approvals are required:

Siting Recommendation to Superintendent of Seattle City Light

BACKGROUND INFORMATION

Site and Vicinity Description

The proposal sites are a Seattle City Light utility pole and private property. The utility pole is located in the Northeast 115th Street right-of-way situated between the curb and sidewalk on the north side of the street approximately 141.45' from the intersection of Lake City Way NE and Northeast 115th Street towards the west end of the block and in front of the property located at 2704 Northeast 115th Street. The private property contains a total area of 8,148 square feet (sq. ft.). This fairly rectangular shaped lot contains a one-story major vehicle repair building with accessory parking. Vehicular access to the existing building and accessory parking is from Northeast 115th Street.

Northeast 115th Street is an improved street with curbs, sidewalks and gutters. It is classified as an arterial street, pursuant to SMC Chapter 23.53.

The topography of the private property is relatively flat. The site is modestly vegetated with trees and shrubs on the southeasterly and southwesterly corners of the site. There are street trees on this block and across the street from the subject sites.

The subject site is zoned Commercial 1 with a 40' height limit (C1-40). Surrounding property is zoned as Commercial 1 (C1-40') to the north, east and west of the property. Lowrise 2 (L-2) zone is to the south of the subject site. Existing development in the vicinity of the proposal includes business commercial uses to the north, east and west. A gas station and apartment buildings are located across the street to the south.

Proposal Description

T-Mobile Wireless proposes to install a minor communication utility facility consisting of 3 panel (3-sector) antennas to be mounted within a 7'-9" high shroud atop a new 55'-9" wood laminate utility pole which would create an overall height of 63'-6". This new laminated utility pole would replace the existing 29'-3" secondary utility pole at the same location in the Northeast 115th Street public right-of-way. The utility pole would be painted brown to be similar to the existing utility poles in the area. The applicant proposes to construct a new 3'-6" concrete block wall atop an existing 3'-6" concrete block parapet located above an existing lower level accessory room addition to the existing building on a nearby property (2704 Northeast 115th Street). The 7' concrete block wall would screen the proposed associated rooftop electronic equipment cabinets. The connecting cables to the external antennas will be housed within coax shroud on the west wall, buried underground along the west property line and concealed inside the utility pole. Access to the rooftop equipment would be via a proposed external access ladder with locking cover on the southern wall façade.

This decision will focus primarily on the recommendation to the Superintendent of Seattle City Light regarding the physical placement of proposed antennas and the utility pole.

Public Comments

The public comment period for this project ended May 21, 2003. DPD received two written comments regarding this proposal. The neighbors expressed concerns regarding possible health impacts due to exposure to electromagnetic radiation emissions, the visibility of the antennas from their property manner and the "appropriateness" of this particular location.

ANALYSIS - SITING RECOMMENDATION TO SUPERINTENDENT OF SEATTLE CITY LIGHT

The Street and Sidewalk Use Chapter of the Seattle Municipal Code allows Class II Special Attachments (minor communication utilities) to be placed on utility poles owned by Seattle City Light that are located on public rights of way. Class II Special Attachments are specifically

regulated by SMC Section 15.32.300. This Section allows for minor communication utilities, or other Class II Special Attachments, to extend above the electrical facilities (wires) on top of an existing pole, or the replacement of an existing pole to achieve adequate height for the applicant's purposes. Section 15.32.300 further requires that all costs of such replacements be borne by the communications provider, and that the visual impacts of minor communication utilities and other Class II Special Attachments shall be reduced to a degree acceptable to the Superintendent of City Light.

Where a request for Class II attachment is made, and the proposed location is on an arterial street located within a Commercial zone, the applicant shall apply to DPD and pay for an attachment siting review and recommendation consistent with the application, fee, notice, timeline and criteria for an Administrative Conditional Use (ACU) permit. The DPD recommendation shall be advisory to the Superintendent of City Light. The specific ACU criteria can be found in SMC Section 23.57.012, subsection B. The criteria, which must be satisfied in order for the proposal to receive a positive recommendation from DPD, are as follows:

a. The proposal shall not result in a significant change in the pedestrian or retail character of the commercial area.

The proposal is a laminated wood utility pole to be located in the Northeast 115th Street right-of-way within the Commercial (C1-40') zone. The height of the utility pole, including the antennas, would be 63'-5". This new laminated wood utility pole would replace an existing 29'-3" Seattle City Light (SCL) utility pole. This pole would reside near an existing street tree which will remain in place and be protected during construction. The antennas would be mounted within a shield and painted to match the color of the proposed laminated wood pole. All conduits (cables) would be concealed within the laminated wood utility pole and buried underground to connect with the equipment cabinets located on the lower rooftop a nearby site.

The proposed 63'-5" utility pole and the cellular antennas would alter the visual character of the surrounding commercial/residential neighborhood. An appearance comparison chart and reasons why are noted below:

Appearance	**Existing SCL Utility Pole**	**Proposed SCL Utility Pole**
Shape	Cylinder-like shape	Prism-like shape
Color	Natural brown wood	Artificial brown wood
Width	Varies per Seattle City Light	2' wide with a 2' diameter shroud atop with a wooden chase and brackets affixed to the pole
Height	29'-3"	55'-9" pole with a 7'-9" shroud atop (overall height equals 63'-5")
Material	Solid wood	Wood laminate
Equipment Atop of Pole	None	3 antennas within a shroud

1. The proposed SCL utility pole would be significantly taller (26'-6") than the existing SCL utility pole and other utility poles on the same block front.

2. The proposed laminated utility pole design has both a shape and overall bulk that is irregular and larger than that of a typical round wood utility pole

3. The proposed antennas and the antenna shroud are atypical of other equipment, including transformers, located in public rights-of-way. Specifically, the size and location of the shielded antennas would make them highly visible. This is largely due to the fact that the proposed antenna would be located above the existing utility lines 26'-6" taller than the existing utility pole. Furthermore, portions of the antenna shield are proposed to project beyond the shape of the pole.

As proposed, it is clear that the minor communications utility will constitute a visual impact to the existing residential character of the surrounding neighborhood that resides immediately south and further east of the subject site-but, this impact is not considered a major issue. Certain measures such as existing street trees on Northeast 115th Street, existing taller transformer utility poles within the immediate area, and existing tall deciduous and coniferous trees and vegetation assist in minimizing the impact at street level. Painting the antennas exterior brown and concealing the conduits will also assist in minimizing the visual impacts for this proposal. These measures should minimize the visual impacts and diminish any significant changes to the minimal retail character in the existing commercial area.

In addition, the applicant proposes to replace the utility pole in the same location. Thus, pedestrian circulation should not be affected. Therefore, the proposed minor communication utility would not be detrimental to the residential streetscape and character of this neighborhood and will not result in a significant change in the pedestrian or retail character of the commercial area.

b. If the minor communication utility is proposed to exceed the zone height limit as modified by subsection C of this section, the applicant shall demonstrate that the requested height is the minimum necessary for the effective functioning of the minor communication utility.

The proposed antennas will be on a laminated wood utility pole that is proposed to be 63'-5" in height and exceeds the 40' height limit of the Commercial 1 (C1-40') zone. The height of the existing SCL pole is 29'-3" with the power line at 21'-8".

According to the applicant, the specific location (or position) of the proposed site was determined through computer modeling of radio transmission propagation of existing sites combined with statistical data analysis of the call volumes for the area around Lake City Way, Northeast Northgate Way and Northeast 115th Street. Other factors considered included terrain topography, foliage, zoning codes and construction feasibility.

Once the location is determined, the site is designed to work in conjunction with nearby sites in the area to accomplish a seamless "handoff" as callers move between coverage areas of the sites. The system functions properly when the radio path between the mobile handset and the antennas of the minor communication facility is unobstructed. To avoid obstructions that will create weak coverage and dead spots within the network, the antennas are placed above the surrounding terrain and other obstructions.

According to the documentation submitted by the applicant, the height of the proposed antennas at this site is based on surrounding terrain profile and the average elevation of nearby vegetation. In addition, the antenna height has been selected to maximize capacity and coverage/penetration while minimizing the antenna height requirement. Significant deviation from this location will result in reduced effectiveness and possible invalidation of the proposed site altogether. In regards to the antenna height, the specified centerline is the minimum acceptable to provide the needed coverage with respect to that from neighboring cell sites. In the applicant's opinion, strict application of the standards would preclude the applicant from providing wireless services for the intended coverage area.

Due to SCL clearance and separation requirements, it does appear that the applicant is attempting to request a height that is the minimum necessary for the effective functioning of the minor utility for this particular location.

c. If the proposed minor communication utility is proposed to be a new freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible for the proposed facility to be on another existing transmission tower or on an existing building in a manner that meets the applicable development standards. The location of a facility on a building on an alternative site or sites, including construction a network that consists of a greater number of smaller less obtrusive utilities, shall be considered.

The proposed minor communication utility is not proposed for a new freestanding transmission tower. Therefore, this provision does not apply.

SITING RECOMMENDATION TO SUPERINTENDENT OF SEATTLE CITY LIGHT

Based on the above analysis the Director of the Department of Planning and Development recommends to the Superintendent of Seattle City Light to **approve** the application to install a minor communication utility on Seattle City Light pole in the public right-of-way in a commercial zone.

ADMINISTRATIVE CONDITIONAL USE CONDITIONS

Prior to the Issuance of the Master Use Permit (Non-Appealable):

1. The proposed minor communication utility (T-Mobile) consisting of 3 panel antennas located in the right-of-way atop a City Light pole must be approved by Seattle City Light.

2. Revise the MUP plans to show any corrections required by Seattle City Light.

Signature: (signature on file) Date: December 25, 2003
Tamara Garrett, Land Use Planner
Department of Planning and Development

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